IN THE HIGH COURT OF BOMBAY AT GOA

MISCELLANEOUS CIVIL APPLICATION NO. 768 OF 2005
IN
MISCELLANEOUS CIVIL APPLICATION NO.667 OF 2005

Communidade de Provincia
de Bali. ... Applicant

versus

Fondo Modko Gaukar(died)
and others. ... Respondents

Ms. S. Bandodkar, Advocate for the Applicant.

CORAM : D. D. SINHA &
N. A. BRITTO, JJ.

DATE : 30TH NOVEMBER, 2005.

P.C.:-

Heard the learned Counsel for the applicant.

Miscellaneous Civil Application No. 768 of 2005 is moved by the applicant for restoration of Miscellaneous Civil Application No.667 of 2005 which was dismissed in default on 4-10-2005.

The learned Counsel for the applicant states that when the Miscellaneous Civil Application was dismissed in default notices were not issued by this Court to the respondents. In the backdrop, it is not necessary to issue notices to the respondents.

Miscellaneous Civil Application No.768 of 2005 is allowed subject to payment of costs of Rs.500/- to be paid to the Goa State Legal Aid Fund within a period of one week.

The applicant is directed to submit the acknowledgement in this Court. If, the acknowledgement is submitted, the Order dated 4-10-2005 shall stand revoked and Miscellaneous Civil Application No. 667 of 2005 shall stand restored to the file on record.

With this Order, Miscellaneous Civil Application No.768 of 2005 is disposed of.

D. D. SINHA, J.

N. A. BRITTO, J.

RD.